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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/929,019	09/15/1997	PAUL T DECRAENE	5291/54391	1336

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EXAMINER

HAROLD, JEFFEREY F

ART UNIT

PAPER NUMBER

2644

DATE MAILED: 03/31/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

08/929,019

Applicant(s)

DECRAENE, PAUL T

Examiner

Jefferey F. Harold

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 12-14, 17 and 19 is/are rejected.
- 7) ☒ Claim(s) 9-11, 14-16 and 18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Response to Arguments

1. In view of the appeal brief filed on December 16, 2002, PROSECUTION IS HEREBY REOPENED. New grounds for rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claim 1** is rejected under 35 U.S.C. 102(b) as being anticipated by Krolak et al. (United States Patent 4,242,721), hereinafter referenced as Krolak.

Regarding claim 1, Krolak discloses an electrical connector assembly for interconnecting remote signal stations to central signal processing systems. In addition,

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Krolak discloses housing (30), which reads on claimed "wall rack assembly" consisting of: a receiving cavity (31, 32, 33, and 34), which reads on claimed "shelf assembly" for selectively receiving a plurality of boards (20), which read on claimed "network interface units"; inherent interface module connectors connectable to either mating connector (60 and 71), which reads on claimed "at least two customer interface module connectors" operatively connected to the shelf assembly, as disclosed at column 3, line 30 through column 5, line 42 and exhibited in figure 3.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. ***Claims 2-8, 12-14, 17 and 19*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Krolak in view of Spaulding (United States Patent 4,303,296).

Regarding **claim 2**, Krolak discloses everything claimed as applied above (see claim 1), however, Krolak fails to disclose a cover for the shelf assembly. However, the examiner maintains that it was well known in the art to provide a cover for the shelf assembly, as taught by Spaulding.

In a similar field of endeavor Spaulding discloses a modular interface connector. In addition, Spaulding discloses a cover (382) is for engaging the enclosure, as disclosed at column 22, lines 51-68 and exhibited in figures 23, 25 and 26.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Krolak by specifically providing a cover for the shelf assembly, as taught by Spaulding, for the purpose of protecting the boards.

Regarding **claim 3**, Krolak and Spaulding disclose everything claimed as applied above (see claim 2), however, the combination fails to disclose a cover with side openings. However, the examiner maintains that it was well known in the art to provide a cover with side openings, as taught by Spaulding.

In addition, Spaulding discloses a cover (382) with side openings, as exhibited in figures 23, 25 and 26.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Krolak by specifically providing a cover with side openings, as taught by Spaulding, for the purpose of customer interface.

Regarding claims **4-7, 17 and 19** they are interpreted and thus rejected for the reasons set forth above in the rejection of claims 1-3.

Regarding **claim 8**, Krolak and Spaulding disclose everything claimed as applied above (see claim 7), in addition Krolak discloses wherein the first and second customer interface module connector are positioned along the first and second flange of the receiving cavity, as exhibited in figure 3.

Regarding **claim 12**, Krolak and Spaulding disclose everything claimed as applied above (see claim 7), in addition the combination discloses the cover (384) that cover the entire cavity as exhibited in figures 23, 25 and 26.

Regarding **claim 13**, Krolak and Spaulding disclose everything claimed as applied above (see claim 12), in addition the combination discloses cover (210) which has three cut outs to allow clearance, as exhibited in figure 15.

Regarding **claim 14**, Krolak and Spaulding disclose everything claimed as applied above (see claim 12), in addition the combination discloses wherein the

Allowable Subject Matter

5. ***Claims 9-11, 14-16, 18*** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F. Harold whose telephone number is (703) 306-5836. The examiner can normally be reached on Monday-Friday 7:30am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



JFH
March 22, 2003



FORESTER W. ISEN
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